

CRM-M-14231-2026
Date of decision: 04.05.2026

...PETITIONER

...RESPONDENT

i. The petitioner has been falsely involved in the present case.



- ii. The petitioner has been involved in the present case only on the basis of disclosure statement made by co-accused, which is inadmissible in evidence.
- iii. Nothing has been recovered from the conscious possession of the petitioner.
- iv. The contraband recovered from the co-accused falls under the category of non-commercial quantity.
- v. Petitioner is in custody since 30.12.2025 i.e. for the last 04 months and 02 days.
- vi. Investigation has already been completed and final report under Section 173 of BNSS has already been filed.
- vii. Petitioner is having clean and clear antecedents and is not involved in any other case, except the present one.
- viii. Trial will take sufficient time to conclude.
- ix. No fruitful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

4. Learned State counsel produced the custody certificate of the petitioner, which is taken on record. He opposed the prayer of the petitioner on the following grounds:

- i. The petitioner has been named as supplier of the contraband in the present case.
- ii. There is apprehension that if the petitioner is released on bail, he can indulge in similar activities.



5. Heard.

6. Keeping in view the facts and circumstances of the present case and the following contentions of learned counsel for the parties that :

- i. The petitioner has been involved in the present case only on the basis of disclosure statement made by co-accused, which is inadmissible in evidence.
- ii. Nothing has been recovered from the conscious possession of the petitioner.
- iii. The contraband recovered from the co-accused falls under the category of non-commercial quantity.
- iv. Petitioner is in custody since 30.12.2025 i.e. for the last 04 months and 02 days.
- v. Investigation has already been completed and final report under Section 173 of BNSS has already been filed.
- vi. Petitioner is having clean and clear antecedents and is not involved in any other case, except the present one.
- vii. Trial will take sufficient time to conclude. No fruitful purpose would be served by keeping the petitioner in custody for any further period.

7. Concession of bail cannot be denied just as a measure of punishment as culpability of accused is to be decided after appreciating evidence adduced by both the parties. It is a trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioners.



8. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

May 04, 2026
manisha

(SUBHAS MEHLA)
JUDGE

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|------|---------------------------|--------|
| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |